

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48706 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- DEV District- Aurangabad

GANESH CHOUDHARY, Son of Naresh Choudhary Resident of village -
Ketaki Math, P.S. - Deo, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-08-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Deo P.S. Case No. 115
of 2023/ G.R.No. 787/ 2023 dated 13.05.2023 registered for the
offences punishable u/ss 30(a)(c) of the Bihar Prohibition and
Excise Act.

4. As per the prosecution case, 220 kg of *mahua*
flower, 44 litres of country made liquor and 60 kg of *jawa*
mahua were recovered from the house of the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the recovery was made from the house is a joint property of the petitioner and the petitioner was not present at the time and place of occurrence. Nothing has been recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad (Bihar) in connection with Deo P.S. Case No. 115 of 2023/ G.R. No. 787/ 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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